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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,522	06/18/2001	Aluizio M. Cruz	265/158	3110

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EXAMINER

ULLAH, AKME

ART UNIT PAPER NUMBER

2874

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/884,522

Applicant(s)

CRUZ, ALUIZIO M.

Examiner

Akm Enayet Ullah

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 is/are allowed.
- 6) ☒ Claim(s) 1-20 and 22-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 578.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Detailed Action***

Applicant cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Status of the Application***

Claims 1-46 are pending in this application

If applicant is aware of any prior art or any other co- pending application not already of record, he/she is reminded of his/her duty under 37 CFR 1.56 to disclose the same.

***Drawings***

This application has been filed on November 01, 2001 with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

***35 USC 102 Rejections***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-3,7 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldfain et al (USPNO. 6,065,837).

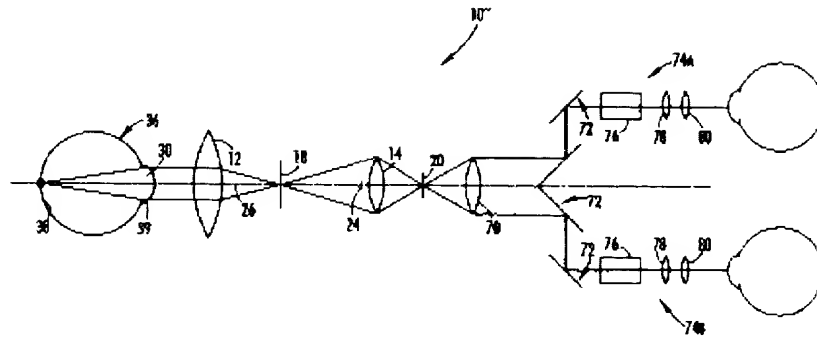
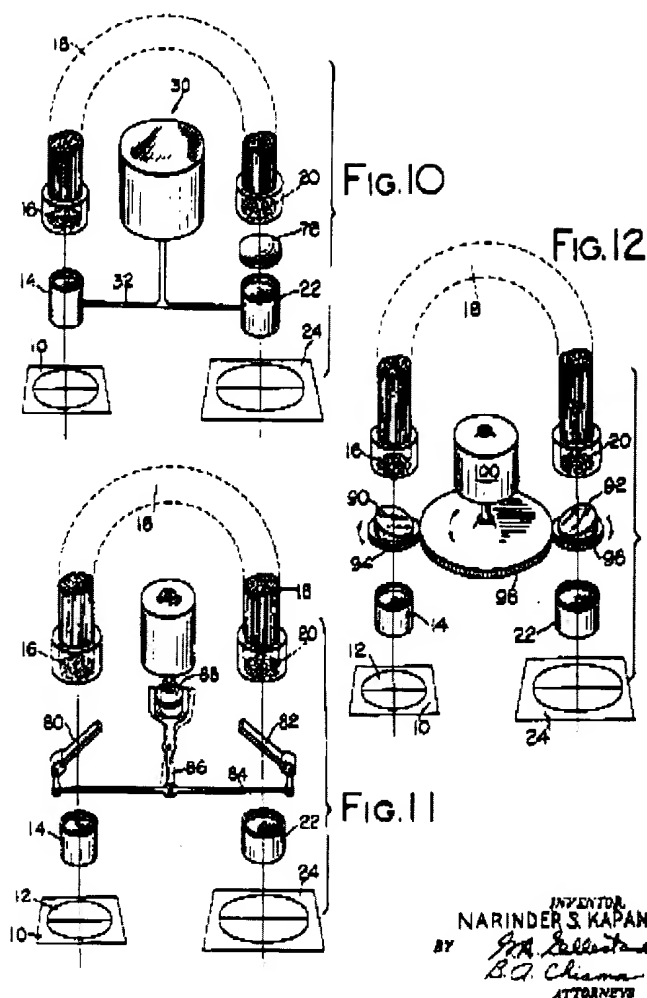


FIG. 6

Figure 6 of the reference clearly teaches the instant claimed invention.

Claims 1-3,7 and 22 are also rejected under 35 U.S.C. 102(b) as being anticipated by Kapany (USPNO. 3,016,785).

The figure 10-12 of Kapany reference is also clearly teaches the instant invention, as claimed.



### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 and 22-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman (USPNO. 4,963,906).

Goodman disclose a video viewfinding system for reflex camera which provides image transmission by means of fixed means and by an electrical means and which permits video viewing of a formed image first received by the fiber optic means and then transmitted by electrical means to a video monitor which the system comprising a housing, a fiber optic element, photodetector means, an electronic means, video monitor means for receiving and displaying the video signal as an optical image representing the corresponding to the focused optical image formed on the front face of the optical element.

Note that the lens system comprises an optical portion of a camera is an inherent of the reference. For an example, claims 3,5,10,15 mentioned about a first & second lens system.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize such lens system which would include an inverted microscope objective and the first lens being optically coupled with filament via an inverted microscope objective which being adapted to produce substantially-reduced image from an initial image generated by the lens system since it has been held that the device allows to provide an image magnification or demagnification, where needed, involves only routine skill in the art. *In re Stevens*, 101 USPQ 284 (CCPA 1954).

Regarding claims 18,20,27,30 wherein said substantially-reduced image has a size that is substantially between one-thousandth and one millionth of a size of initial image would have been obvious to one having ordinary skill in the art at the time the invention was made to the above mentioned size of initial image, since it has been held that the provision of adjustability, where needed, involves only routine skill in the art. *In re Stevens*, 101 USPQ 284 (CCPA 1954)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize such eye view device of Goodman reference for large field viewing for the system for transmitting images over a filament of a fiber optic cable for communicating entire images through a single filament of a fiber optic cable without reducing image quality, thereby avoiding the need for and/or increased expense associated with fiber optic cables with a multitude of filaments

***Claims Are Allowed***

Claim 21 is allowed over the prior art as of record.

***Cited Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goldfain et al (USPNO. 6,527,390) is also cited to show a typical optical filter device along with a wavelength –selective for transmitting images over a filament of a fiber optic cable.


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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akm Enayet Ullah whose telephone number is 703-308-4885. The examiner can normally be reached on Mon.- Thurs. 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 703-3084819. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Akm Enayet Ullah  
Primary Examiner  
Art Unit 2874

AUllah  
June 23,2003